

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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R. SCOTT STEVENSON, :  
Plaintiff-Counterclaim Defendant, :  
-against- : No. 04 CV 4037 (KMK)  
TYCO INTERNATIONAL LTD., and TYCO :  
INTERNATIONAL (US) INC., : ***Electronically Filed***  
Defendants-Counterclaimants, :  
-and- :  
TME MANAGEMENT CORP., TYCO :  
INTERNATIONAL LTD RETIREMENT COMMITTEE, :  
TYCO INTERNATIONAL (US) INC. :  
ADMINISTRATIVE COMMITTEE, TYCO :  
INTERNATIONAL (US) INC. SPECIAL APPEALS :  
COMMITTEE, and FIDELITY INVESTMENTS :  
INSTITUTIONAL SERVICES COMPANY, INC., :  
Defendants. :  
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**NOTICE OF CROSS-MOTION TO STAY ARBITRATION**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Jane Greenman, dated October 14, 2005, the Declaration of Matthew Sarelson, Esq., dated October 13, 2005, the Declaration of Eric G. Hoffman, Esq., dated October 14, 2005, together with the exhibits annexed thereto, the accompanying Memorandum of Law, and all the pleadings and prior proceedings had herein, the undersigned will move this Court before the Honorable Kenneth M. Karas, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, at such time as the Court directs, (i) for an Order pursuant to 9 U.S.C. § 4 and 28

U.S.C. § 1651(a) granting Defendant-Counterclaimant's cross-motion to stay arbitration and (ii) for such other relief as the Court deems just and proper.

Dated: New York, New York  
October 14, 2005

Respectfully submitted,  
**MORGAN, LEWIS & BOCKIUS LLP**

By: /S/  
Christopher P. Reynolds (CR-8338)  
William J. Delany, Pro Hac Vice

101 Park Avenue  
New York, New York 10178  
(212) 309-6000

Attorneys for Defendants-Counterclaimants  
TYCO INTERNATIONAL LTD., and  
TYCO INTERNATIONAL (US) INC.

TO: Marc S. Dreier, Esq.  
Dreier LLP  
499 Park Avenue  
New York, NY 10022

Attorneys for Plaintiff-Counterclaim Defendant  
R. Scott Stevenson